

Serial No. **10/576,580**

Docket No. **P-0776**

Amdt. dated February 17, 2010

Reply to Office Action of October 26, 2009

REMARKS/ARGUMENTS

Claims 1, 6-7, 13-14, and 20 are pending. By this Amendment, claim 1 is amended. No new matter is added. Support for the claims can be found throughout the specification, including the original claims, and the drawings. Reconsideration in view of the above amendments and following remarks is respectfully requested.

The Examiner objected to the drawings for informalities under 37 C.F.R. 1.83(a). The Examiner's comment has been addressed in amending claim 1. Accordingly, the objection should be withdrawn.

The Office Action rejected claims 1, 6-7, 11, 13-14, and 20 under 35 U.S.C. §103(a) as being unpatentable over Wollaber et al. (hereinafter "Wollaber"), U.S. Patent No. 5,335,721, in view of Laing, U.S. Patent No. 3,366,169 and Bolton et al. (hereinafter "Bolton"), U.S. Patent No. 5,467,610. Claim 11 was canceled in the Amendment filed July 24, 2009. Therefore, it has been assumed for the purpose of this reply that the Examiner intended to reject claims 1, 6-7, 13-14, and 20. The rejection is respectfully traversed.

Independent claim 1 recites, *inter alia*, an outdoor air discharge port that discharges the outdoor air from the air conditioner formed in the upper surface of the case positioned on the outdoor side, wherein the first outdoor heat exchanger is vertically installed adjacent to and inside the outdoor air suction port to heat exchange with the outdoor air sucked in through the outdoor air suction port, and wherein the second outdoor heat exchanger is horizontally installed adjacent to and inside the outdoor air discharge port to heat exchange with the outdoor air

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discharged through the outdoor air discharge port. Wollaber, Laing, and Bolton, taken alone or in combination, fail to disclose or suggest at least such features of independent claim 1, or the claimed combination.

That is, the Office Action, on page 5, acknowledged that “Wollaber fails to teach wherein the at least one outdoor heat exchanger [comprises] first and second outdoor heat exchangers; wherein the indoor air suction port is substantially the same size as the front surface of the case; wherein the outdoor suction port is substantially the same size as the rear surface of the case; wherein the second outdoor heat exchanger is installed adjacent to and inside the outdoor air discharge port to heat exchange with the outdoor air discharged through the outdoor air discharge port; wherein the compressor comprises a horizontal type compressor that includes a driving device horizontally arranged; and wherein the outdoor air discharge port is formed in the upper surface of the case positioned on the outdoor side.” The Office Action asserted that Laing and Bolton disclose such features of independent claim 1.

That is, the Examiner asserted that “Laing teaches an air conditioner (see figure 1) that includes indoor and outdoor cross flow fans (21 and 22), an evaporator (12) and a first condenser (13a) located near an outdoor suction port (illustrated in figure 1) and a second condenser (13b) located near an outdoor discharge port (208),” and concluded that “[i]t would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the air conditioner of Wollaber to include the first and second outdoor heat exchangers as taught by Laing in order to maximize heat transfer between air and outdoor heat

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exchangers, thus increasing cooling efficiency.” Further, the Examiner asserted that “Bolton further teaches the concept of providing a horizontal rotary compressor (32) mounted to a base pan (42) of the outdoor section (14) of the air conditioner (illustrated in figure 5),” and concluded that “[i]t would have been obvious to one having ordinary skill in the art at the time the invention was made to have replaced the compressor of Wollaber as modified by Laing with the horizontal rotary compressor as taught by Bolton in order to allow for more room for other components of the air conditioner to be installed.”

However, Laing discloses a room air conditioner that includes a heat exchanger block 13a that extends vertically over half a height of a compartment 11 and a heat exchanger block 13b that extends downwardly and inwardly over the lower half of the height of the compartment 11. See, for example, Fig. 1 and column 3, lines 24-28 of Laing. Bolton fails to overcome the deficiencies of Wollaber and Laing, as it is merely cited for allegedly teaching “a horizontal rotary compressor (32) mounted to a base pan (42) of the outdoor section (14) of the air conditioner.” None of the applied references disclose or suggest that the second outdoor heat exchanger is horizontally installed adjacent to and inside the outdoor air discharge port to heat exchange with the outdoor air discharged through the outdoor air discharge port, as recited in independent claim 1.

With the claimed features of a first outdoor heat exchanger vertically installed adjacent to and inside the outdoor air suction port to heat exchange with the outdoor air sucked in through the outdoor air suction port and a second outdoor heat exchanger horizontally installed adjacent

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to and inside the outdoor air discharge port to heat exchange with the outdoor air discharged through the outdoor air discharge port, heat efficiency is enhanced by increasing a contact area with air, while allowing a height of the window type air conditioner to be reduced. This enhances the functionality of the window type air conditioner.

Accordingly, the rejection of independent claim 1 over Wollaber, Laing, and Bolton should be withdrawn. Dependent claims 6-7, 13-14, and 20 are allowable over Wollaber, Laing, and Bolton at least for the reasons discussed above with respect to independent claim 1, from which they depend, as well as for their added features.

CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

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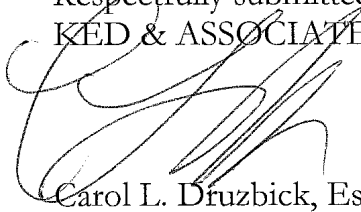
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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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